



February 14, 2025

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VIA ECF

Honorable Vernon S. Broderick
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: ***GM Photo, LLC v. Focus Camera Inc. et al.; 22-cv-10339-VSB***
Status of Defendants' Motion to Dismiss (Dkt. No. 53)

Dear Judge Broderick:

Our office represents Defendants in the above referenced matter. We write in follow up to Defendants' pending motion to dismiss the Amended Complaint, dated March 16, 2023 (the "Motion"). *See* Dkt. Nos. 53-54.

Plaintiff filed its opposition to the Motion on March 30, 2023. *See* Dkt. No. 55. Following a brief extension (*see* Dkt. Nos. 56-57), the Motion was fully submitted upon the filing of Defendants' reply papers on April 12, 2023. *See* Dkt. No. 58. Defendants subsequently filed a Notice of Supplemental Authority on September 18, 2023. *See* Dkt. 65. To date, the Motion remains pending.

As almost two years have passed since the initial submission of the Motion, Defendant respectfully requests an update on the status of the Motion to ensure that no further action by the parties is required. If the Court requires any further information or briefing in support of the Motion, we will diligently endeavor to provide such information.

We thank the Court for its attention to this matter.

Respectfully submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP

/s/ Stephen Barrett

Stephen J. Barrett

cc: All Counsel of Record via ECF